



*FW*

CERTIFICATE OF MAILING UNDER 37 C.F.R. §1.8

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail, with sufficient postage, in an envelope addressed to: Commissioner for Patents, P. O. Box 1450, Alexandria, VA 22313-1450, on the below date:

Date: August 8, 2006 Name: John C. Freeman, Esq. Signature: *John C. Freeman*

**BRINKS  
HOFFER  
GILSON  
& LIONE**

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re Appln. of: **Wolfgang Holzapfel et al.**

Appln. No.: **10/821,518**

Filed: **April 9, 2004**

For: **SCANNING UNIT FOR POSITION  
MEASURING INSTRUMENT FOR  
OPTICAL SCANNING OF A MEASURING  
GRADUATION**

Examiner: **Unassigned**

Art Unit: **2877**

Attorney Docket No: **56/429**

Mail Stop Amendment  
Commissioner for Patents  
P. O. Box 1450  
Alexandria, VA 22313-1450

**TRANSMITTAL**

Sir:

**Attached is/are:**

- ☒ Supplemental Information Disclosure Statement, PTO Form 1449.
- ☒ Return Receipt Postcard

**Fee calculation:**

- ☒ No additional fee is required.
- ☐ Small Entity.
- ☐ An extension fee in an amount of \$\_\_\_\_\_ for a \_\_\_\_\_-month extension of time under 37 C.F.R. § 1.136(a).
- ☐ A petition or processing fee in an amount of \$\_\_\_\_\_ under 37 C.F.R. § 1.17(\_\_\_\_\_).
- ☐ An additional filing fee has been calculated as shown below:

					Small Entity			Not a Small Entity	
	Claims Remaining After Amendment		Highest No. Previously Paid For	Present Extra	Rate	Add'l Fee	or	Rate	Add'l Fee
Total		Minus			x \$25=			x \$50=	
Indep.		Minus			x 100=			x \$200=	
First Presentation of Multiple Dep. Claim					+\$180=			+\$360=	
					Total	\$		Total	\$

**Fee payment:**

- ☐ A check in the amount of \$\_\_\_\_\_ is enclosed.
- ☐ Please charge Deposit Account No. 23-1925 in the amount of \$\_\_\_\_\_. A copy of this Transmittal is enclosed for this purpose.
- ☐ Payment by credit card in the amount of \$\_\_\_\_\_ (Form PTO-2038 is attached).
- ☒ The Director is hereby authorized to charge payment of any additional filing fees required under 37 CFR § 1.16 and any patent application processing fees under 37 CFR § 1.17 associated with this paper (including any extension fee required to ensure that this paper is timely filed), or to credit any overpayment, to Deposit Account No. 23-1925.

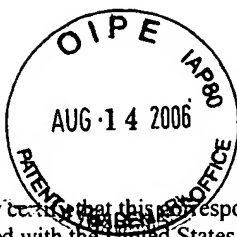
Respectfully submitted,

*John C. Freeman*  
John C. Freeman, Esq. (Reg. No. 34,483)

August 8, 2006  
Date

**BRINKS  
HOFFER  
GILSON  
& LIONE**

**BRINKS HOFFER GILSON & LIONE**  
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Commissioner for Patents, P.O. Box 1450  
Alexandria, VA 22313-1450 on August 8, 2006

Name of Registered Representative:

John C. Freeman  
John C. Freeman, Reg. No. 34,483

August 8, 2006  
Date of Signature

PATENT  
CASE NO. 56/429

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re Application of:	)	
	)	
Wolfgang Holzapfel et al.	)	
	)	Art Unit: 2877
Serial No.: 10/821,518	)	
	)	Examiner: unassigned
Filed: April 9, 2004	)	
	)	
For: SCANNING UNIT FOR POSITION	)	
MEASURING INSTRUMENT FOR	)	
OPTICAL SCANNING OF A	)	
MEASURING GRADUATION	)	

**SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT**

Mail Stop Amendment  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

In compliance with Applicants' duty of disclosure under 37 C.F.R. § 1.56 and in conformance with 37 C.F.R. §§ 1.97-1.98, Applicants hereby submit the following references for consideration by the Examiner. A completed copy of Form PTO-1449 is being supplied.

**I. DISCLOSURE**

**A. U.S. Patents**

<b><u>Patent No.</u></b>	<b><u>Inventor</u></b>	<b><u>Issue Date</u></b>
5,822,125	Meyers	10/13/98
6,449,099 B2	Fujimoto et al.	09/10/02

**II. DISCUSSION**

**A. U.S. Patent No. 5,822,125**

The '125 patent was cited in an Office Action during prosecution of a corresponding Chinese patent application.

**B. U.S. Patent No. 6,449,099**

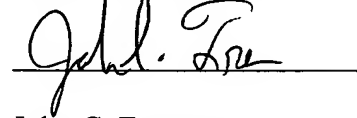
The '099 patent was cited in an Office Action during prosecution of a corresponding Chinese patent application.

**III. CONCLUSION**

It is not believed that these references, alone or in combination, disclose or suggest the claimed invention. However, Applicants wish to make it clear that the disclosure of the above references is in no way an admission that they qualify as prior art. It is Applicants' desire, however, to have these references available in the record for both the Examiner and the public to

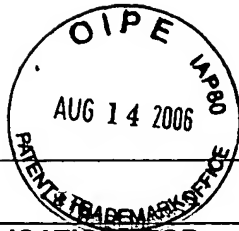
see. Applicants therefore request that the Examiner review the entire disclosure of the references and make the above-listed references of record.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "John C. Freeman", is written over a horizontal line.

John C. Freeman  
Registration No. 34,483  
Attorney for Applicants

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FORM PTO-1449	SERIAL NO. 10/821,518	CASE NO. 56/429
LIST OF PATENTS AND PUBLICATIONS FOR APPLICANT'S INFORMATION DISCLOSURE STATEMENT	FILING DATE April 9, 2004	GROUP ART UNIT 2877
(use several sheets if necessary)	APPLICANT(S): Wolfgang Holzapfel et al.	

## REFERENCE DESIGNATION

## U.S. PATENT DOCUMENTS

EXAMINER INITIAL		DOCUMENT NUMBER <small>Number-Kind Code (if known)</small>	DATE	NAME	CLASS/ SUBCLASS	FILING DATE
	A1	5,822,125	10/13/98	Meyers		
	A2	6,449,099 B2	09/10/02	Fujimoto et al.		

## FOREIGN PATENT DOCUMENTS

EXAMINER INITIAL		DOCUMENT NUMBER <small>Number-Kind Code (if known)</small>	DATE	COUNTRY	CLASS/ SUBCLASS	TRANSLATION YES OR NO

EXAMINER  
INITIAL

## OTHER ART – NON PATENT LITERATURE DOCUMENTS

(Include name of author, title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date page(s), volume-issue number(s), publisher, city and/or country where published.


EXAMINER	DATE CONSIDERED
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EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.